

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

<b>UNITED STATES OF AMERICA,</b>	)	<b>Case No. 8:13CR105</b>
	)	
<b>Plaintiff,</b>	)	<b>MOTION FOR MODIFICATION</b>
	)	<b>OF DETENTION ORDER</b>
<b>-vs-</b>	)	
	)	
<b>TIMOTHY DEFOGGI,</b>	)	
	)	
<b>Defendant.</b>	)	

COMES NOW Timothy Defoggi, through counsel, and requests this Honorable Court modify the detention order to allow him to attend the funeral of his mother, Winifred Marie Barnard, which is currently set for graveside services, Tuesday, March 25, 2014 at 11:00 a.m. at Forest Hills Cemetery in Palm City, Florida. Defendant's family is in the process of rescheduling the funeral to Wednesday, March 26, 2014 at 11:00 to allow defendant travel time.

Defendant requests one day to travel to the location and one day to return for a total of three days so he may attend his mother's funeral (See Exhibit A).

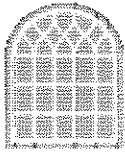
Respectfully submitted,  
Timothy Defoggi, Defendant

/s/ John S. Berry  
John S. Berry, #22627  
BERRY LAW FIRM  
2650 North 48<sup>th</sup> Street  
Lincoln, NE 68508  
[john@jsberrylaw.com](mailto:john@jsberrylaw.com)  
(402) 466-8444

### **CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was served upon Michael Norris, Assistant U.S. Attorney and Keith A. Becker, U.S. Department of Justice, by electronically serving a copy of the same to both via CM/ECF, on this the 24<sup>th</sup> day of March, 2014.

/s/ John S. Berry  
John S. Berry, #22627



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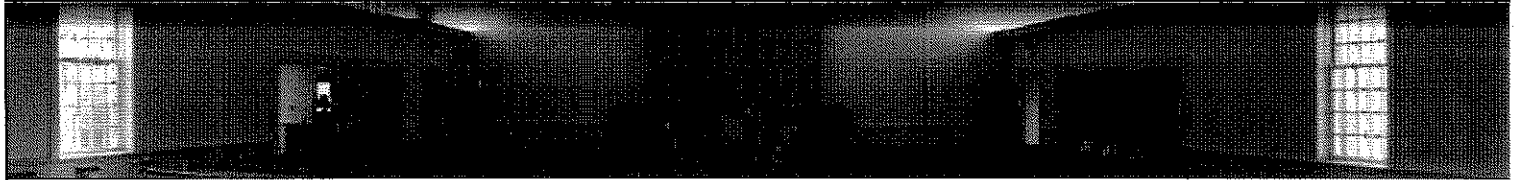
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## *Service information*

Graveside Service at Forest Hills  
Cemetery  
Palm City, FL  
Tuesday, Mar 25, 2014  
11 a.m.  
[map](#)

## *Interment information*

Forest Hills Cemetery  
Palm City, FL  
[map](#)

## *Winifred Marie Barnard*

May 20, 1922 - Mar 22, 2014  
Winston-Salem, NC

Winston Salem—Winifred “Winnie” Marie Barnard, 91, passed away Saturday March 22, at Kate B. Reynolds Hospice Home. Mrs. Barnard was born in Glenshaw, Pennsylvania on May 20th, 1922 to Edna and Edward Lear. Winnie graduated from Glenshaw High School and then married Ernest Defoggi, they had three children Marianne, Ernest, and Timothy Defoggi and settled in Florida in 1959. Mrs. Barnard worked at the Broward County Court House, where she retired after 20 years. Winnie moved to Winston Salem in 2010 to be closer to her family. Mrs. Barnard lived at Homestead Hills, where she enjoyed meeting many new friends. She is preceded in death by her parents, a son Ernest Defoggi Jr, her first husband Ernest Defoggi, second husband Steve Guthrie, a third husband Richard Barnard, and two Sisters Evelyn Westbrook and Gladys Lear. She is survived by her daughter Marianne Defoggi, of Winston Salem, son Timothy Defoggi, of Washington D.C and two grandsons Brett Lowenthal, of Charlotte, N.C, and Christopher Defoggi, of Washington D.C. A graveside service will be held Tuesday, March 25th at 11:00 a.m at Forest Hills Cemetery in Palm City, FL. In lieu of flowers, memorials may be made to Kate B. Reynolds Hospice Home, 101 Hospice Ln, Winston Salem, 27103. Online condolence may be made through [www.salemfh.com](http://www.salemfh.com)

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